



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

August 10, 2010

Daniel Chang
State of Hawaii, Department of Health
PO Box 3378
Honolulu, HI 96801-3378

Subject: Clean Water Act 106 funds to support the US Army Corps of Engineers' Lahaina Wastewater Reclamation Facility Tracer Study

Dear Dan,

Per the Hawaii Department of Health's (DOH) request, EPA has researched and concluded that it is appropriate and allowable for DOH to designate Clean Water Act (CWA) Section 106 funds to leverage the US Army Corps of Engineers' (USACE) Lahaina Wastewater Reclamation Facility Tracer Study. We understand this will be a partnership between the USACE and DOH with EPA providing technical assistance. EPA's legal counsel has advised that DOH may choose to enter into a partnership agreement with the USACE and designate CWA 106 funded projects as cost-share to the USACE project. The Water Resources Development Act (2007) allows the USACE to recognize DOH CWA 106 federal funds supporting portions of the tracer study effort to count as 'in-kind' services toward the non-federal share of the USACE study.

Hawaii's CWA 106 grant funds may only be used as match to support work consistent with CWA Section 106 Guidelines. EPA has determined that the tracer study falls within these guidelines.

If you have any questions, please give me a call at 415-972-3963.

Sincerely,

A handwritten signature in black ink, appearing to read "John Ungvarsky".

John Ungvarsky
Hawaii CWA 106 Grant Project Officer
Water Division

cc: Cindy Barger, Biologist/Project Manager, USACE, Honolulu District

LINDA LINGLE
GOVERNOR OF HAWAII



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CHYOME L. FUKINO, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH

P.O. BOX 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
EMD/SDWB

September 8, 2010

Lieutenant Colonel Douglas Guttormsen
District Engineer
U.S. Army Corps of Engineers
Honolulu District
Building 230
Fort Shafter, Hawaii 96858-5440

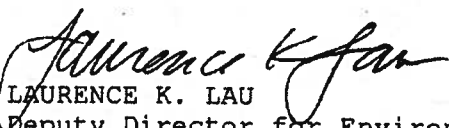
Dear Lieutenant Colonel Guttormsen:

This is in reference to the Corps of Engineers' Planning Assistance to States Programs. We understand that the provisions of Section 22 of the Water Resources Development Act of 1974 (Public Law 93-251), as amended, provides authority for the Corps to assist in the preparation of comprehensive plans for the development, utilization, and conservation of water and related land resources. The State of Hawaii, Department of Health, Clean Water and Safe Drinking Water Branches requests planning assistance to address Coastal Seepage from the Lahaina Wastewater Treatment Plant in the West Maui watershed area, County of Maui, State of Hawaii.

We have been informed by the U.S. Environmental Protection Agency that our Clean Water Act Section 106 funds may be used as matching funds for the USACOE cost sharing agreement. (See attachment)

We would like to discuss the development of a scope of work and the execution of a study cost-sharing agreement to initiate a Section 22 study. Please contact Daniel Chang of our Safe Drinking Water Branch at (808) 586-4258 for further information.

Sincerely,


LAURENCE K. LAU

Deputy Director for Environmental Health

DC:cb

Attachment

c: Stuart Yamada, P.E., Chief, Safe Drinking Water Branch
Alec Wong, P.E., Chief, Clean Water Branch
David Albright, USEPA, Region 9, Groundwater Office